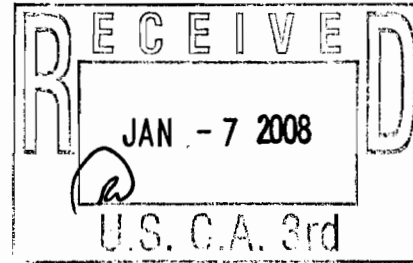


UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT



Lawrence B. Dickens,
Petitioner.

v.

Case Number: 1:06-CV-00790 SLR

Michael DeJoy Warden
and et. al.
Respondent.

NOTICE OF APPEAL

Petitioner Lawrence B. Dickens, pro se respectfully appeals the ORDER from the United States District Court for the District of Delaware which both dismissed the Petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Also, the relief sought was denied by the same court. The Court declined to issue a certificate of appealability according to the ORDER for failure to satisfy the standard set forth in 28 U.S.C. § 2253(c)(2).

The ORDER was mailed to Lawrence B. Dickens, Petitioner on December 4, 2007 which he signed for the legal document on December 12, 2007.

Petitioner now wish to appeal by Notice of Appeal on January 3, 2008.

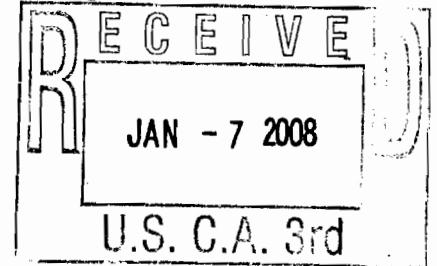
Respectfully,

Lawrence B. Dickens
LAWRENCE B. DICKENS, PRO SE

ENCLOSURE:

U.S. District Ct. for the District of Delaware (ORDER)
Envelope of Receipt of ORDER.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE



LAWRENCE B. DICKENS,

Petitioner,

v.

MICHAEL DELOY,
Warden, and ATTORNEY
GENERAL OF THE STATE
OF DELAWARE,

Respondents.

Civ. No. 06-790-SLR

ORDER

At Wilmington this ~~4th~~^{December,} day of ~~November~~, 2007, consistent with the memorandum opinion issued this same date; IT IS HEREBY ORDERED that:

1. Petitioner Lawrence B. Dickens' application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is DISMISSED, and the relief requested therein is DENIED. (D.I. 1)

2. The court declines to issue a certificate of appealability for failure to satisfy the standard set forth in 28 U.S.C. § 2253(c)(2).


UNITED STATES DISTRICT JUDGE

EXH. (A)

EXH. (B)

Office of the Clerk
United States District Court
844 N. King Street, Lockbox 18
Wilmington, Delaware 19801-3570

OFFICIAL BUSINESS

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Med B



Lawrence B. Dickens
SBI #124570
Sussex Correctional Center
P.O. Box 500
Georgetown, DE 19947

OFFICE OF THE CLERK

MARCIA M. WALDRON
CLERK

UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
601 MARKET STREET
PHILADELPHIA 19106-1790

TELEPHONE
215-597-2995

January 24, 2008

Peter T. Dalleo, Clerk
United States District Court
J. Caleb Boggs Federal Building
Lockbox 18
844 King Street
Wilmington, DE 19801-3570

Re: Dickens v. Kearney
D. Del. No. (06-cv-00790)

Dear Mr. Dalleo:

Pursuant to Rule 4(d), Federal Rules of Appellate Procedure, and Rule 3.4, Third Circuit Local Appellate Rules, we are forwarding the attached notice of appeal from the District Court order entered December 5, 2007 which was filed with this office in error. See Rule 3(a)(1), Federal Rules of Appellate Procedure and Rule 3.4, Third Circuit Local Appellate Rules. **The notice was placed in prison mail on January 4, 2008 and should be docketed as of that date.**

This document is being forwarded solely to protect the litigant's right to appeal as required by the Federal Rules of Appellate Procedure and Rule 3.4, Third Circuit Local Appellate Rules. Upon receipt of the document, kindly process it according to your Court's normal procedures. If your office has already received the same document, please disregard the enclosed copy to prevent duplication.

Pursuant to Rule 3(a)(1), Federal Rules of Appellate Procedure, a notice of appeal must be filed with the Clerk of the District Court. This Court may not act on an appeal until the notice has been docketed in the District Court and certified to this Court by the District Court Clerk.

Thank you for your assistance in this matter.

Very truly yours,

Marcia M. Waldron, Clerk

By: /s/ Chiquita Dyer
Legal Assistant

Enclosure
cc: Lawrence Dickens (w/out enclosure)